



**Substitute Senate Bill No. 1309**

**Public Act No. 05-117**

***AN ACT CONCERNING SCHOOL NUTRITION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-221o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Each local and regional board of education shall require each school under its jurisdiction to (1) offer all full day students a daily lunch period of not less than twenty minutes, and (2) include in the regular school day for each student enrolled in [grades] full day kindergarten and grades one to five, inclusive, a [period of] minimum of twenty minutes per full school day where there is an opportunity for the student to engage in physical exercise, in addition to any physical education requirements, except that a planning and placement team may develop a different schedule for a child requiring special education and related services in accordance with chapter 164 and the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time. In the event of a conflict with this section and any provision of chapter 164, such other provision of chapter 164 shall be deemed controlling.

Sec. 2. Section 10-220f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

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(a) Each local and regional board of education may establish a school district safety committee to increase staff and student awareness of safety [and health] issues and to review the adequacy of emergency response procedures at each school. Parents and high school students shall be included in the membership of such committees.

(b) Each local and regional board of education may establish a School Wellness Committee to monitor and implement nutrition and physical activity policies required pursuant to the provisions of the Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265. Each such committee shall make recommendations to its board of education regarding school wellness issues, including, but not limited to, ordering Connecticut grown foods for inclusion in school meals, conducting school fundraisers with either healthy food or nonfood items, establishing a nutrition education curriculum and promoting physical education and exercise. Members of the committee may include, but need not be limited to, a school administrator, a physical education teacher, a teacher who does not teach physical education, a school nurse, a local pediatrician, the food service director for the school district, two parents of children enrolled in a school in the school district, a middle school student, a member of the local or regional board of education and a high school student.

Sec. 3. (NEW) (*Effective July 1, 2005*) (a) Except as otherwise provided in subsection (b) of this section, each local and regional board of education shall permit at schools under its jurisdiction the sale of only the following beverages to students from any source, including, but not limited to, school stores, vending machines, school cafeterias, and any school sponsored or nonschool sponsored fundraising activities: (1) Water, (2) milk, including, but not limited to, chocolate milk, soy milk, rice milk and other similar dairy or nondairy milk, (3) one hundred per cent fruit juice or vegetable juice or a combination of

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such juices, (4) beverages that contain only water and fruit juice and have no added natural or artificial sweeteners, and (5) one-half hour after the last lunch period in high schools only, sugar free soft drinks or electrolyte replacement beverages containing no more than forty-two grams of added sweetener per twenty ounce serving, provided such sugar free soft drinks or electrolyte replacement beverages constitute no more than twenty per cent each of the beverage options permitted pursuant to this subsection.

(b) A local or regional board of education may permit at middle schools or high schools under its jurisdiction, the sale to students of beverages that are not listed in subsection (a) of this section, provided (1) such sale is in connection with a school sponsored event occurring after the end of the regular school day or on the weekend, (2) such sale is at the location of such event, and (3) such beverages are not sold from a vending machine or school store.

Sec. 4. (NEW) (*Effective July 1, 2005*) (a) Not later than January 1, 2006, and January first of each year thereafter, the Department of Education shall publish a list of recommended prepackaged foods and set nutritional standards for other foods, other than beverages and foods served as part of the National School Lunch Program and School Breakfast Program, that may be offered as the only foods on school premises for sale to students, from any source, including, but not limited to, school stores, vending machines, school cafeterias and school sponsored and nonschool sponsored fundraising activities. Except as provided in subsection (b) of this section, local and regional boards of education shall implement such recommendations, as amended from time to time, and permit to be offered for sale to students on school premises only those foods (1) included in the list of recommended prepackaged foods, (2) meeting the nutritional standards set by the department, or (3) served as part of the National School Lunch Program and School Breakfast Program, not later than

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August 15, 2006, and annually thereafter.

(b) On and after August 15, 2006, a local or regional board of education may permit at schools under its jurisdiction, the sale to students of foods that are not listed as recommended prepackaged foods or do not meet the nutritional standards set by the Department of Education pursuant to subsection (a) of this section, provided (1) such sale is in connection with a school sponsored event occurring after the end of the regular school day or on the weekend, (2) such sale is at the location of such event, and (3) such foods are not sold from a vending machine or school store.

(c) Nothing in this section shall be construed to prohibit the sale off school premises of any food as part of fundraising activities by students, teachers or educational groups.

Vetoed June 14, 2005